

01-03-03

#4

✓ \$ DAC



PATENT
ATTORNEY DOCKET NO.: 053683-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andrew C. Myers et al. :
: Group Art Unit: 2152
Application No.: 09/866,932 :
: Examiner:
Filed: May 29, 2001 :
: For: SYSTEM AND METHOD FOR :
: EFFICIENT WIDE AREA :
: NETWORK ROUTING :

**PETITION UNDER 37 CFR 1.137(b) IN AN APPLICATION FOR PATENT
REGARDED AS ABANDONED UNDER 35 USC 122(b)(2)(B)(iii)**

Attention: Office of Petitions
Commissioner for Patents
Box DAC
Washington, D.C. 20231

RECEIVED
JAN 06 2003
OFFICE OF PETITIONS

Sir:

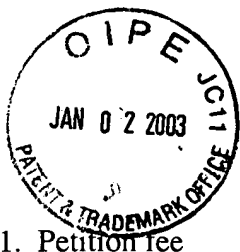
Under MPEP 711.03(c)(III)(A)(3) (Eighth Edition, August 2001), the above-identified application was deemed abandoned for failure to timely notify the United States Patent and Trademark Office of the filing of an application under the Patent Cooperation Treaty. The date of the deemed abandonment is the 46th day after the filing of the international application. A copy of the international filing receipt is enclosed for reference.

**APPLICANT HEREBY PETITIONS FOR REMOVAL OF THE DEEMED ABANDONED
STATUS OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

01/06/2003 CV0111 00000002 500310 09866932
01 FC:2453 650.00 CH



1. Petition fee

- ☒ Small entity-fee \$650.00 (37 CFR 1.17(m)). Applicants claim small entity status. See 37 CFR 1.27.
- ☐ Other than small entity - fee \$_____ (37 CFR 1.17(m)).
- ☐ No fee is to be paid at this time.
- ☒ The above-listed fee and any additional fees required in connection with this filing are authorized by charging Deposit Account No. 50-0310. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 50-0310.

2. Reply and/or fee (not applicable here)

- A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):
- ☐ has been filed previously on _____.
- ☐ is enclosed herewith.
- B. The issue fee of \$_____.
- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

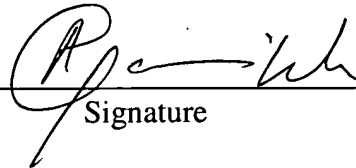
3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. **STATEMENT:** The entire delay in filing the required notification of foreign filing from the due date for that notification until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Jan. 2, 2003

Date



Signature

Telephone

Number: 412.560.3300Abhijat Parikh, Reg. No. 49,086

Typed or Printed Name

Facsimile

Number: 412.560.7001

MORGAN, LEWIS & BOCKIUS LLP

1701 Market Street

Philadelphia, PA 19103-2921

Address

- Enclosures: ☐ Fee Payment
☐ Reply
☐ Terminal Disclaimer Form
☐ Additional sheets containing statements establishing unintentional delay
☒ Other: Copy of International Filing Receipt

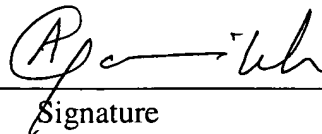
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☒ deposited with the United States Postal Service "Express Mail Post Office to Addressee" on the date shown below and is addressed to: Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Jan. 2, 2003

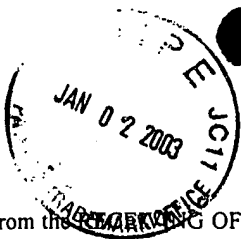
Date



Signature

Abhijat Parikh

Type or printed name of person signing certificate



PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

NOTIFICATION OF THE INTERNATIONAL APPLICATION NUMBER AND OF THE INTERNATIONAL FILING DATE

(PCT Rule 20.5(c))

To:
ABHIJAT PARIKH
MORGAN, LEWIS & BOCKIUS LLP
1701 MARKET STREET
PHILADELPHIA, PENNSYLVANIA 19103-2921

Date of mailing
(day/month/year)

27 JUN 2002

Applicant's or agent's file reference
53683-5001WO

IMPORTANT NOTIFICATION

International application No.
PCT/US02/16493

International filing date (day/month/year)
24 May 2002

Priority date (day/month/year)
29 May 2001

Applicant
61C NETWORKS, INC.

Title of the invention
SYSTEM METHOD FOR EFFICIENT WIDE AREA NETWORK ROUTING

1. The applicant is hereby notified that the international application has been accorded the international application number and the international filing date indicated above.

2. The applicant is further notified that the record copy of the international application:

27 JUN 2002

- ☒ was transmitted to the International Bureau on _____
- ☐ has not yet been transmitted to the International Bureau for the reason indicated below and a copy of this notification has been sent to the International Bureau*:
- ☐ because the necessary national security clearance has not yet been obtained.
- ☐ because (reason to be specified): _____

RECEIVED

JAN 06 2003

OFFICE OF PETITIONS

* The International Bureau monitors the transmittal of the record copy by the receiving Office and will notify the applicant (with Form PCT/IB/301) of its receipt. Should the record copy not have been received by the expiration of 14 months from the priority date, the International Bureau will notify the applicant (Rule 22.1(c)).

3. FOREIGN TRANSMITTAL LICENSE INFORMATION

Completed by: TS

- ☐ Additional license for foreign transmittal not required. This subject matter is covered by a license already granted or the equivalent U.S. national application. Refer to that license for information concerning its scope.
- ☐ License for foreign transmittal not required. 37 CFR 5.11(e)(1) or 37 CFR 5.11(e)(2). However, a license may be required for additional subject matter. See 37 CFR 5.15(b).
- ☒ Foreign transmittal license granted. 35 U.S.C. 184; 37 CFR 5.11 on 24 Jun 2002 (date)
- ☒ 37 CFR 5.15(a) ☐ 37 CFR 5.15(b)

Name and mailing address of the receiving Office
Assistant Commissioner for Patent, Box PCT
Washington, D.C. 20231 Attn:RO/US
Facsimile No. 703-305-3230

Authorized officer
Tyetta Staton
Telephone No. 703-305-3671

JS